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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,850	11/13/2003	Harry H.J. Bang	BANGH-42880	2763
26252	7590	08/18/2004	EXAMINER	
KELLY BAUERSFELD LOWRY & KELLEY, LLP 6320 CANOGA AVENUE SUITE 1650 WOODLAND HILLS, CA 91367			FISHMAN, MARINA	
			ART UNIT	PAPER NUMBER
			2832	

DATE MAILED: 08/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/713,850	BANG, HARRY H.J.	
	Examiner	Art Unit	
	Marina Fishman	2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-10,12-16, 18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,12-16, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

General Status

1. This is a Final Action on the Merits. Claims 1,3 -10,12 – 16, 18 and 19 are pending in the case and are being examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,3 -10,12 – 16, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang [US 4,584,621] in view of Applicant Admitted Prior Art.

Yang discloses a switch assembly having a first line and a second a line [Figures 1 – 7] comprising:

- a first line switch [7,8, 21',41',51'52';Figures 1,2,3B,4A] conductively coupled to two separate portions of the first line and movable between an open circuit position and a closed circuit position, including a first connector [4',8] for connecting the first line switch to a first portion of the first line switch which in turn is connected to a power source and a second connector [7',51'] for connecting the first

line switch to a second portion of the first line switch, which is, in turn, connected to a power consumer [LOAD, Figure 3B, 4A], wherein the first and second portions of the first line switch are electrically connected when the first line switch is in the closed circuit position and not electrically connected when the first line switch is in the open circuit position;

- a second line switch [6,9, 21,41,51,52; Figures 1,2,3B,4A] conductively coupled to two separate portions of the second line and movable between an open circuit position and a closed circuit position, including a first connector [9,4] for connecting the second line switch to a first portion of the second line switch which is, in turn, connected to a power source and a second connector [6,51] for connecting the second line switch to a second portion of the second line switch, which is, in turn, connected to a power consumer [LOAD, Figure 3B, 4A], wherein the first and second portions of the second line switch are electrically connected when the second line switch is in the closed circuit position and not electrically connected when the second line switch is in the open circuit position;

Art Unit: 2832

- wherein the first line switch and the second line switch adapted so as to not to be moved into their closed circuit positions simultaneously [Abstract].

Regarding Claims 1, 10 and 16, Yang discloses the instant claimed invention except for a shield between the first line switch and the second line switch and two line switch portions. Applicant Admitted Prior Art [page 8; lines 17 –22] disclose a shield member of non-conductive material disposed the first line portion with the first line switch and the second line portion with the second line switch. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the shield member in Yang, as suggested by Applicant Admitted Prior Art, in order to provide a barrier between the first line portion with the first line switch and the second line portion with the second line switch.

Regarding Claims 3, 5, 6, Yang disclose a mechanical means [1,2, 4A] for connecting the first and second line switches to each other such that when the second line switch is moved into its closed circuit position, the first line switch is subsequently moved into its closed position.

Regarding Claims 4,7, 8, Yang disclose a mechanical means [1,2, 4A] for connecting the first and second line switches to each other such that when the second line switch is moved into its open circuit position, the first line switch is subsequently moved into its open circuit position.

Regarding Claims 16, 18 and 19 the Claims method steps would have been necessitated by the product structure.

Art Unit: 2832

Regarding Claims 10 - 15, Yang discloses a main switch [5], the balance limitations of the Claims are discussed above.

Response to Arguments

4. Applicant's arguments with respect to claims 1,3 -10,12 – 16, 18 and 19 have been considered but are moot in view of the new ground(s) of rejection.

5. The rejections in the previous office action under 35 USC §112, second paragraph and the Specification objections are withdrawn in view of Applicant's amendments.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Art Unit: 2832

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marina Fishman whose telephone number is 571-272-1991. The examiner can normally be reached on 7-5 M-T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marina Fishman
August 9, 2004


ELVIN ENAD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800
8/14/04